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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,346	08/06/2003	Yu-Fu Cho	030715.WW (15819-123)	8872
23595	7590	06/28/2005	EXAMINER	
NIKOLAI & MERSEREAU, P.A. 900 SECOND AVENUE SOUTH SUITE 820 MINNEAPOLIS, MN 55402			GRAHAM, MARK S	
			ART UNIT	PAPER NUMBER
			3711	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/635,346

Applicant(s)

CHO, YU-FU

Examiner

Mark S. Graham

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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Claims 12-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 12, line 2, the "support member" lacks antecedent basis.

In claim 13, line 2, the "ridges" lack antecedent basis.

In claim 16, the "ridges" in line 2 and the "target block" in line 3 lack proper antecedent basis.

In claim 17, line 1, "the receiving member" lacks proper antecedent basis.

In claim 18, line 1, the "support member" lacks antecedent basis.

In claim 19, the "ridges" in line 1 and the "receiving member" in line 3 lack proper antecedent basis.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-13 and 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu et al. 433 (Lu) in view of Yiu '686 (Yiu). Lu discloses the claimed target block with the exception of the use of posts to guide dart tips into the holes. However, as disclosed by Yiu such a technique is known in the art. It would have been obvious to one of ordinary skill in the art to have employed such with Lu's target block holes as well to better guide the darts into them.

Regarding claim 2, as can be seen in Fig. 3 of Yiu the posts merge with one another such that a recess is taken out of each post and filled with part of an adjacent post.

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Concerning claim 3, note "connection plate" 4 of Yiu.

Regarding claims 4 and 11, note protrusions 14, 22 of Lu.

Concerning claims 5, 17, and 19 note receiving member 3 of Lu and protrusions 14, 22.

Regarding claim 8, element 14 of Lu may be considered the insertion.

With regard to claims 9, 12, and 18 the point of attachment of element 14 to the target block may be considered the "support member".

With respect to claim 2, element 2 of Lu may be considered a box.


Concerning claims 13, 16, and 19 element 40 of Yiu may be considered the ridge.

Claims 14 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claims 13 and 19 respectively above, and further in view of Brejcha. Claims 14 and 20 are obviated for the reasons explained in the claim 13 and 19 rejections with the exception of the side walls. However, as disclosed by Brejcha it is known in the art to use sidewalls 37,38 to contact the film switches instead of protrusions as disclosed by Lu. It would have been obvious to one of ordinary skill in the art to have used such on Lu's device as well if such were deemed by the ordinarily skilled artisan to make better contact with the film switches.

Cho, Yiu, Jones et al., Lu et al., and Kelley have been cited for interest because they disclose similar devices.

Any inquiry concerning this communication should be directed to Mark S. Graham at telephone number 571-272-4410.

MSG
6/20/05



Mark S. Graham
Primary Examiner